

AMENDMENTS TO LB 645

(Amendments to Standing Committee amendments, AM0316)

1 1. Strike amendment 1 and insert the following new
2 amendments:

3 "1. Insert the following new sections:

4 'Sec. 4. (1) Except as otherwise provided in this
5 section, an agency or political subdivision of the state or a
6 public power supplier shall not enter into any lease, license, or
7 other agreement with any telecommunications common carrier,
8 telecommunications contract carrier, or any other person, for the
9 use for a fee or charge of the infrastructure or facilities of the
10 agency, political subdivision, or public power supplier in order to
11 provide wholesale advanced telecommunications services, information
12 services, telecommunications services, or video services.

13 (2) The prohibition described in subsection (1) of this
14 section shall not apply if:

15 (a) The report required pursuant to section 5 of this act
16 has been provided to the Legislative Council; and

17 (b) Specific authority to provide such service has been
18 authorized by the Legislature.

19 (3) The prohibition described in subsection (1) of this
20 section shall not apply to a lease, license, or other agreement for
21 the use of attachments to poles, ducts, conduits, or rights-of-way.

22 Sec. 5. (1) The Transportation and Telecommunications
23 Committee of the Legislature and the Natural Resources Committee of

1 the Legislature shall conduct a joint study to determine the
2 economic and policy implications of agencies or political
3 subdivisions of the state or public power suppliers providing to a
4 telecommunications common carrier, telecommunications contract
5 carrier, or any other person, on a wholesale basis, advanced
6 telecommunications services, information services,
7 telecommunications services, or video services.

8 (2) The study shall include, but not be limited to, the
9 examination of the following issues:

10 (a) The implications of agencies or political
11 subdivisions of the state or public power suppliers offering
12 wholesale service upon retail competition for advanced
13 telecommunications services, information services,
14 telecommunications services, and video services and private sector
15 investment in networks for the provision of such services;

16 (b) The need and necessity for the provision of wholesale
17 advanced telecommunications services, information services,
18 telecommunications services, and video services by agencies or
19 political subdivisions of the state and public power suppliers; and

20 (c) Issues regarding the establishment of fair and
21 equitable requirements for the regulation and taxation of the
22 provision of wholesale advanced telecommunications services,
23 information services, telecommunications services, and video
24 services by agencies or political subdivisions of the state and
25 public power suppliers.

26 (3) The committees shall report the results of such study
27 to the Legislative Council by December 31, 2005.'

1 2. On page 6, line 17, strike 'this section' and insert
2 'sections 3 to 5 of this act'; and in line 28 after '(c)' insert
3 'Internal telecommunications purposes includes meter reading,
4 outage detection, demand-side management, and other information
5 services related to supplying electric service that may be provided
6 using the electric utility infrastructure or information service
7 facilities of a public power supplier;

8 (d) Public power supplier means a public power district,
9 a public power and irrigation district, a municipality, a
10 registered group of municipalities, an electric cooperative, an
11 electric membership association, a joint entity formed under the
12 Interlocal Cooperation Act, a joint public agency formed under the
13 Joint Public Agency Act, an agency formed under the Municipal
14 Cooperative Financing Act, or any other governmental entity
15 providing electric service;

16 (e) '.

17 3. On page 7, line 2, strike '(d)' and insert '(f)'; in
18 line 4 after 'in' insert 'subsection (1) of section 70-625 and'; in
19 line 6 after 'state' insert 'or a public power supplier'; in line 7
20 strike ', wholesale, or any other'; and in line 11 after the period
21 insert 'Nothing in this section shall prohibit an agency or a
22 political subdivision of the state or a public power supplier from
23 providing any such services for its own use, either individually or
24 jointly through the Interlocal Cooperation Act, the Joint Public
25 Agency Act, or the Municipal Cooperative Financing Act, for
26 internal telecommunications purposes or to carry out the public
27 purposes of the agency, political subdivision, or public power

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- 1 supplier.'
- 2 4. Renumber the remaining sections accordingly."